

Minutes of Land Use, Parks and Environment Committee
Tuesday, May 17, 2011

Chair Fritz Ruf called the meeting to order at 8:31 a.m.

Committee Members Present: Supervisors Fritz Ruf (Chair), Walter Kolb, Michael Inda, Rob Hutton, James Jeskewitz, Ted Rolfs, Tom Schellinger.

Also Present: Legislative Policy Advisor Sarah Spaeth, Legislative Associate Karen Phillips, Human Resources Manager Jim Richter, Planning and Zoning Manager Jason Fruth, Park System Manager Duane Grimm, Senior Civil Engineer Leif Hauge, Parks and Land Use Director Dale Shaver, Senior Financial Analyst Clara Daniels.

Approve Minutes of April 19, 2011

MOTION: Inda moved, second by Jeskewitz, to approve the minutes of April 19, 2011. Motion carried 6-0.

Hutton arrived at 8:33 a.m.

Executive Committee Reports of May 2 and May 16, 2011

May 2: Several State legislators were present to discuss State budget impacts on Waukesha County.

May 16th: Interviews of candidates for the Waukesha County Board District 23 vacancy were conducted. Candidate Daniel Draeger was recommended for the appointment. The tentative County supervisory district plan ordinance and one appointment were approved.

Future Meeting Date

- June 21, 2011

Correspondence

- Conservation Reserve Enhancement Program – Contract Continuation

Legislative Update

The Joint Finance Committee has been meeting regularly and will likely finish the budget by June 4th. Last week the freeze on county tax levy limits was made permanent; however, the committee approved limiting levy carryover to 0.5%. The tax levy freeze is based on new construction.

Ordinance 166-O-019: Approve Reorganization Of Tax Listing Function

Richter stated that as a result of the retirement of the of the person holding the real property tax-lister position, the Register of Deeds Office (ROD) requested a study of the position be done to determine if there should be any changes to the position or its organizational placement.

Human Resources staff, in conjunction with staff in the Register of Deeds, Department of Administration, Treasurer's Office, and Department of Parks and Land Use conducted a study on the tax listing function. The results of the study are contained in the handout titled *Report on Organizational Study and Placement of Real Property Tax Lister Function – March 30, 2011*, that was provided to the committee prior to today's meeting.

Richter stated that as a result of the study, it was recommended that the tax listing function be consolidated into the community service operation within the Department of Administration (DOA).

The real property tax-lister position would be abolished and the remaining tax listing staff would be moved into the DOA 2011 budget. The tax listing function would then be performed under the direction of the community services representative, an existing position. A new program assistant position would be created to function as a lead worker without supervisory duties. As outlined in the fiscal note, these changes would result in efficiencies and cost savings for the County.

MOTION: Rolfs moved, second by Jeskewitz, to approved Ordinance 166-O-019. Motion carried 7-0.

Ordinance 166-O-011: Amend The Text Of The Town Of Waukesha Zoning Code By Creating Section 13-2-9(i)(20)f Relating To Recreational Lighting Standards (ZT-1716)

Fruth stated the Town of Waukesha is proposing to create a new section within the conditional use standards of its town code to allow for recreational lighting at a height no greater than 75 feet. Currently there is no maximum height for recreational lighting contained in the code; however, there are some specific standards relative to parking lot lights, set at a maximum of 28 feet. Fruth advised the town planner that the County zoning code allows for certain objects, such as water towers, communications towers, masts etc., to be eligible for a height exception allowance. In researching the town code, Fruth found it contains a similar exception process for masts and other types of related equipment. He was uncertain as to why the town chose not to utilize that provision. A proposed project ("Five Diamonds" ball field) is pending, but the text amendment is totally independent of that project. There was some public opposition to the proposed "Five Diamonds" proposal, but none specifically to the text amendment.

Fruth noted that Planning and Zoning staff has recommended that the proposed ordinance to amend to the Town of Waukesha Zoning Code relative to recreational lighting be approved as presented; however a letter will be sent by staff to the Town recommending that additional ordinance language relative to recreational lighting (glare, fugitive light, etc.) be considered during the upcoming comprehensive code amendment process.

MOTION: Hutton moved, second by Inda, to approve Ordinance 166-O-011. Motion carried 7-0.

Ordinance 166-O-012: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Eagle And The Town Of Eagle Zoning Ordinance By Amending Conditions Of Enrolled Ordinance No. 164-13 (SZT-1669A) For Certain Lands Located In Parts Of Section 1, T5N, R17E, Town Of Eagle (SZT-1669B)

Fruth described the location of the 217-acre property and surrounding areas in the Town of Eagle. The request for a rezone of this property has been before the County Board a number of times. This ordinance would amend Condition No. 10 of the previous zoning amendment (Enrolled Ordinance No. 164-13) to extend the deadlines for the commencement of improvements and for the submittal of construction drawings to the Town Engineer, and would apply the deadlines for development only to that portion of the property located on the east side of S.T.H. 59.

The requested modification to the previous conditional rezoning is being made due to the downturn in the economy and the fact that very little development is occurring in the community. As a result of these economic conditions, the petitioner has requested that the time limits for development, which were imposed in 2008 and amended in 2009, be extended for five years. The new deadlines would be March of 2016 for submittal of construction drawings and March of 2018 for commencement of construction. Planning and zoning staff has recommended that the request to amend Condition 10 of the previous zoning amendment be approved. The zoning is in conformance with the Comprehensive

Development Plan for Waukesha County and the Town of Eagle Comprehensive Plan. The land will continue to be farmed until the property is ready for development.

Rolfs asked if there was any discussion that would indicate the reason for the one “no” vote at the Park and Planning Commission level. Fruth viewed the “no” vote as a philosophical opposition to the land use being proposed. The commissioner suggested that since Eagle already has a business park containing vacant lots, the proposed plan was perhaps not a viable land use.

Rolfs voiced concerns about the deadlines continually being extended. Fruth stated there was some discussion about it at the commission level, but decisions were made a number of years ago and the land use plan was amended; therefore the request is consistent with the plan. Rolfs stated he would be inclined to vote against the ordinance based on the fact that this is the second time the deadlines would be extended.

MOTION: Kolb moved, second by Inda, to approve Ordinance 166-O-012. Motion carried 6-1 (Rolfs).

Ordinance 166-O-013: Accept Artwork Donation From Friends Of Retzer Nature Center For Prairie Underground Exhibit At The Retzer Environmental Learning Center

Grimm distributed a revised copy of the Memorandum of Understanding (MOU) in which the artists' names were removed so that contract negotiations would not be limited to any specific individuals. Waukesha County Department of Parks and Land Use will enter into the MOU with the Friends of Retzer Nature Center for the construction and donation of artwork for the prairie underground exhibit. Grimm also distributed a handout of an illustration of the proposed plan for the exhibit.

The prairie underground exhibit is being planned, designed and constructed to enhance the environmental learning experience at the Retzer Environmental Learning Center. The work will be done over the next three years and is expected to be completed by 2014. The display will include an underground soil profile with wildlife habitats and 12 taxidermy animal displays. The Friends of Retzer will also contract with artists for the mural painting and a taxidermist for the animal exhibits. The Friends of Retzer have already created a display of underground prairie plant roots using various types of yarn. It has been estimated that value of the donation will be approximately \$25,000 when completed. Waukesha County will not be responsible for funding any of the artwork. The County's costs, as outlined in the fiscal note, are included in the budget for Retzer Nature Center improvements.

Ruf noted that he recently accompanied the Public Works Committee on a tour of the Retzer Nature Center, including the site of the proposed prairie underground exhibit, and was favorably impressed.

MOTION: Rolfs moved, second by Jeskewitz, to approve Ordinance 166-O-013. Motion carried 7-0.

Ordinance 166-O-014: Approve Temporary Land Use Permit For Automotive Holding Corporation For Grading On Waukesha County Airport Property

Grimm and Hauge were present to discuss this ordinance which approves a temporary land use permit for work to be performed on County owned land. Grimm pointed out the location of the subject properties on an overhead map. Automotive Holding Corporation (Hall Automotive) is planning to build a body shop facility on the former Lakeland Marine property located west of Waukesha County Airport property north of Bluemound Road. In order to improve drainage on their site they need to grade down a berm located on Waukesha County Airport property.

Shaver explained this request initially came to the Airport staff from Hall Automotive before being referred to the Department of Parks and Land Use (PLU). He outlined the proposed plan and the challenges associated with it. PLU worked with Hall Automotive to come up with an acceptable grading and erosion control plan. It is necessary to provide a temporary Land Use Permit in order that the approved land grading can be performed.

Ruf added that he has known the Hall family for over forty years and is quite sure they would treat the property with respect. The overall appearance of the now run-down property would be greatly improved with their proposed plan.

MOTION: Rolfs moved, second by Schellinger, to approve Ordinance 166-O-014. Motion carried 7-0.

MOTION: Jeskewitz moved, second by Rolfs, to adjourn at 9:23 a.m. Motion carried 7-0.

Respectfully submitted,

Jim Jeskewitz,
Secretary